

PTO/SB/30 (08-00)

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# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                        |
|------------------------|------------------------|
| Application Number     | 09/738,439             |
| Filing Date            | December 15, 2000      |
| Examiner Name          | S. A. Al Hashemi       |
| First Named Inventor   | K. Coleman             |
| Group Art Unit         | 2171                   |
| Attorney Docket Number | MPZ-001.02 (22023-102) |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 19, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. **Enclosed**
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees and any additional fees, or credit any overpayments, to Deposit Account No. 06-1448, Reference MPZ-001.02
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

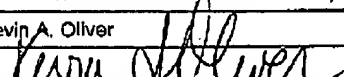
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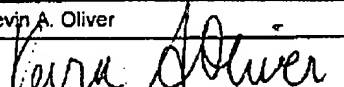
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## **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                    |   |                                   |                 |
|--------------------|---|-----------------------------------|-----------------|
| Name (Print /Type) | Kevin A. Oliver   | Registration No. (Attorney/Agent) | 42,049          |
| Signature          |  | Date                              | August 27, 2003 |

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| Name (Print /Type) | Kevin A. Oliver   | Date | August 27, 2003 |
| Signature          |  |      |                 |

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HOAG**  
ATTORNEYS AT LAW

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To: U.S. Patent & Trademark Office, Fax #: (703) 746-7238 Confirm#:   
Examiner Al Hashemi

Client Matter#: 22023-102

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## OFFICIAL COMMUNICATION

Re: U.S. Patent Application No. 09/738,439  
Filed: December 15, 2000  
Attorney Docket No.: MPZ-001.02 (22023-102)

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Dear Sir or Madam:

**AUG 27 2003**

Enclosed are the following:

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1. This fax cover sheet (1 page); and
2. RCE Transmittal Form with Certificate of Facsimile Transmission for August 27, 2003 (1 page).

Sincerely,

**OFFICIAL**

Kevin A. Oliver

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